

REMARKS

Claim 1 and 3-31 are presently pending, claims 25-31 have been added, and claim 2 has been canceled.

Claims 1-4 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,853,234 to Bentley et al. Claims 5-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bentley in view of U.S. Patent No. 2,778,739 to Rodth. Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bentley in view of Rodth and further in view of EP0449533. Claims 13-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bentley in view of Rodth and further in view of EP0455337.

Original dependent claim 7, prior to the present amendment to independent claim 1, has been rewritten as new claim 25. Neither Bentley nor Rodth, either alone or in the proposed combination, disclose a disc-shaped cartridge having a circumferential manifold separated from a storage chamber by a wall, where the wall comprises a plurality of inwardly directed inlets. Bentley discloses an inlet channel 27 that extends along only three of the four sides of a generally rectangular package. Rodth lacks a manifold chamber, instead having the inflow of water directly into the portion of the body 11 storing the soluble food material.

It is respectfully submitted that none of claims 1-24, as presently recited, are anticipated or unpatentable in view of the cited references. More specifically, none of the cited references disclose a cartridge having "at least one inlet and a circumferential manifold for the introduction of an aqueous medium into the cartridge and at least one centrally located outlet, characterised in that flow of the aqueous medium through the cartridge is generally in a radially inward direction from the circumferential manifold toward the at least one outlet."

Bentley discloses a package 1 having an outlet channel 7 disposed on its periphery that leads to an outlet 13 that is disposed at one end of the package, as illustrated in Figs. 1-3. The outlet 13 is not centrally located. Bentley also discloses an alternative package in Figs. 4-6 having an outlet 37 disposed adjacent to one end of the package. As illustrated in Figs. 4 and 5, the outlet 37 is not centrally located.

Rodth does not disclose a cartridge having a manifold. As illustrated in Fig. 6 of Rodth, the inflow of water directly via the piercing fingers 38 is directly into the portion of the body 11 storing the soluble food material.

EP0449533 and EP0455337 both disclose a beverage package having an outlet nozzle that is not centrally located, as illustrated in the Figures thereof.

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With respect to new claim 31, none of the cited references disclose a cartridge having at least one centrally located outlet substantially surrounded by a manifold chamber. Bentley discloses an inlet channel 27 that does not substantially surround the outlet 37. As illustrated in Fig. 5, the inlet channel 27 extends along only three of the four package sides. Similarly, EP0449533 and EP0455337 disclose channels 11 that extends along only three of the four sides of the beverage package, as illustrated in Figs. 1 thereof. As discussed above, Rodth lacks a manifold chamber, instead having the inflow of water directly into the portion of the body 11 storing the soluble food material.

Claims 27-31 are also believed to be patentable over the cited references.

For the reasons set forth above, claims 1 and 3-31 are believed to be allowable over the cited references, and reconsideration of claims 1 and 3-25 and allowance of claims 1 and 3-31 are respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY



Jon A. Birmingham
Registration No. 51,222

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FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone: 312.577.7000
Facsimile: 312.577.7007

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